

M&M/Henry S

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

Paul Simon D/B/A Paul Simon Music,)
Plaintiff,) Case No. 08-Civ-6440 (CM)
v.) STIPULATION
Rhythm USA, Inc., and Rhythm)
Watch Co., Ltd.,)
Defendants.)

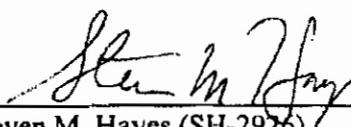
IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel, that the time for defendants Rhythm USA, Inc. and Rhythm Watch Co., Ltd. to answer, move, or otherwise respond to the Complaint is extended to October 28, 2008.

IT IS FURTHER STIPULATED AND AGREED by and between the undersigned counsel that nothing in this Stipulation and Order shall be deemed to constitute an appearance by the aforementioned defendants or consent by such defendants to jurisdiction and/or venue, and that the above-listed defendants retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons. This Stipulation constitutes the filing of a waiver of service with respect to the above-listed defendants under the Federal Rules of Civil Procedure.

[signatures appear on next page]

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